

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

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FEDERAL HOUSING FINANCE AGENCY, etc., :
:
: Plaintiff, : 11cv1383 (AWT)
-v- :
:
: THE ROYAL BANK OF SCOTLAND GROUP LC, :
et al., :
:
: Defendants. :
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL HOUSING FINANCE AGENCY, etc., :
:
: Plaintiff, : 11cv6201 (DLC)
-v- :
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: NOMURA HOLDING AMERICA, INC., et al., :
:
: Defendants. : ORDER TO SHOW CAUSE
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ALVIN W. THOMPSON and DENISE COTE, District Judges:

The parties in the above-captioned coordinated actions, which are pending in the District of Connecticut and the Southern District of New York, shall show cause in written submissions no longer than four pages submitted jointly to the Honorable Alvin W. Thompson and the Honorable Denise Cote by Friday, August 29, 2014, why the following schedule should not be adopted. These submissions are to be addressed only to the

schedule itself and are not to include arguments concerning the merits of the motions referenced below.

- 1) RBS must complete its document production in the Connecticut action no later than September 5, 2014, except as provided for in paragraph 2 and except as to documents located at Iron Mountain, as described in the RBS letter of August 20, 2014 to FHFA. RBS must produce any documents responsive to FHFA document requests located at Iron Mountain no later than September 12, 2014.
- 2) With respect to the following FHFA motions in the Connecticut action, should Judge Thompson grant the motion RBS will be required to produce the relevant documents within one week of the order granting the motion:
  - a. certain transcripts sought through the June 2, 2014 FHFA motion (Dkt. No. 385);
  - b. certain documents outside certain time "bubbles" as sought through the February 12, 2014 FHFA motion (Dkt. No. 301); and
  - c. certain redacted documents, as sought through the FHFA motion (Dkt. No. 364).

RBS should be prepared to produce any such documents by September 11, 2014.

- 3) As ordered by Judge Thompson on June 27, 2014, depositions in the Connecticut action will be completed by December 19, 2014. FHFA and RBS shall cooperate to complete any RBS depositions relevant to the issue of RBS's due diligence in the securitizations at issue in the Connecticut and New York actions no later than October 17, 2014. Any disputes regarding the scheduling of due diligence depositions shall be brought promptly to the joint attention of Judges Thompson and Cote through a letter no longer than two pages.
- 4) The remainder of the June 27, 2014 scheduling order in the Connecticut action will remain undisturbed.
- 5) Any motion for summary judgment in the New York action addressed to due diligence shall be due November 4, 2014. Opposition is due November 25, 2014, and the reply is due December 4, 2014.
- 6) Rebuttal non-reunderwriting expert reports are due November 4, 2014 in the New York action.
- 7) Expert discovery closes in the New York action on November 25, 2014.

- 8) The Joint Pretrial Order in the New York action is due January 30, 2015.
- 9) The trial in the New York action shall commence March 9, 2015.

SO ORDERED:

Dated: August 27, 2014

/s/  
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ALVIN W. THOMPSON  
United States District Judge

Dated: August 27, 2014

/s/  
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DENISE COTE  
United States District Judge